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9 || Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

The parties, including the defendant, stipulate as follows:

1. On September 13, 2011, defendant Taiwei Ho (“defendant”) pled guilty to two counts of  
21 criminal copyright infringement, in violation of 17 U.S.C. § 506(a)(1), 18 U.S.C. § 2319(b)(1).  
22 On November 8, 2012, the Court sentenced defendant to 3 years of probation with a condition of  
23 6 months of community confinement, a \$10,000 fine and a \$200 mandatory special assessment.  
24 The Court also ordered the government to contact the Entertainment Software Alliance (ESA) to  
25 determine what ESA would do if the Court awarded it restitution.

26        2. On November 12, 2012, the government contacted a representative of ESA who stated  
27 that ESA represented the interests of its members and any restitution should be paid directly to

1 the victim corporations, Sony Computer Entertainment America and Nintendo of America, Inc..

2 Therefore, the parties respectfully request that the Court order defendant to pay  
3 restitution to the following parties in the following amounts:

<u>Restitution Recipient</u>	<u>Amount</u>
Sony Computer Entertainment America c/o Michael B Smith, Senior Corporate Counsel 919 East Hillsdale Boulevard Foster City, California 94404	\$ 5,776.37

Nintendo of America, Inc. c/o Lynn Knudson, Senior Paralegal Legal Department 4600 150 <sup>th</sup> Avenue NE Redmond, Washington 98052	\$35,483.43
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11 The parties also respectfully request that restitution be paid at a rate not less than \$300 per  
12 month.

14 IT IS SO STIPULATED.

15  
16 MELINDA HAAG  
United States Attorney

17 Dated: 12/12/12

18 \_\_\_\_\_/s/  
HANLEY CHEW  
Assistant United States Attorney

20 Dated:12/12/12

21 \_\_\_\_\_/s/  
EDWARD HUNG  
Attorney for defendant

22 **[PROPOSED] ORDER**

23 Having considered the stipulation of the parties, and good cause appearing, the Court  
24 orders that defendant Taiwei Ho be ordered to pay restitution in the following parties in the  
25 following amounts:  
26

	<u>Restitution Recipient</u>	<u>Amount</u>
2	Sony Computer Entertainment America c/o Michael B Smith, Senior Corporate Counsel 919 East Hillsdale Boulevard Foster City, California 94404	\$ 5,776.37
4		
5	Nintendo of America, Inc. c/o Lynn Knudson, Senior Paralegal Legal Department 4600 150 <sup>th</sup> Avenue NE Redmond, Washington 98052	\$35,483.43
6		
7		
8	Defendant shall make restitution payments in an amount not less than \$300 per month.	
9	IT IS SO ORDERED.	

**THE HONORABLE D. LOWELL JENSEN**  
United States District Court Judge